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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,816	07/03/2001	Tatsuya Inokuchi	SONYJP 3.3-731	1346
530	7590	08/06/2008	EXAMINER	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			BAUM, RONALD	
		ART UNIT	PAPER NUMBER	
		2139		
		MAIL DATE		DELIVERY MODE
		08/06/2008		PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/869,816	INOKUCHI ET AL.	
	Examiner	Art Unit	
	RONALD BAUM	2139	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 14 April 2008.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-11,49-63,87-92 and 94-96 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-11,49-63,87-92 and 94-96 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. _____.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 20071212

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) Notice of Informal Patent Application

6) Other: _____

DETAILED ACTION

1. This action is in reply to applicant's correspondence of 14 April 2008.
2. Claims 1-11, 49-63, 87-92, 94-96 are pending for examination.
3. Claims 1-11, 49-63, 87-92, 94-96 are rejected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-11, 49-63, 87-92, 94-96 are rejected under 35 U.S.C. 102(b) as being anticipated by Daggar, U.S. Patent 5,748,737.
5. As per claim 1; "A data reproducing apparatus comprising:
a memory configured to store
contents data,
subordinate data, and
right data [*Abstract, col. 1, lines 5-25, col. 7, lines 33-col. 9, line 31, col. 9, lines 63-col. 21, line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with cryptographic (i.e., encryption/ coding/ decryption/ decoding) based wallet micro-module, secure storage (i.e., memory) elements, virtual debit card functionality (i.e., the debited amounts per transaction corresponding to subordinate data that modifies the rights (the debit card balance available to transact a transaction); post*

rights use per transaction), and multiple interface aspects, the wallet/multiple media interfaces card/format/protocol encompassing the functions (i.e., representing audio, visual images, data, etc.,) of typical wallet artifacts (i.e., drivers license with associated typical photo image, 'other miscellaneous cards') and allows 'virtually all traditional wallet items to be recreated in the form of electronically stored ...'. Further, '... the user interface means exemplified by a keypad and display, ... elaborate means such as touch based or voice recognition interfaces could ... provided', clearly teach of content embodied as audio/visual form(s), encompassing the claimed limitations as broadly interpreted by the examiner.],

said contents data including

at least one of

audio data and

video data [*Abstract, col. 1, lines 5-25, col. 7, lines 33-col. 9, line 31, col. 9, lines 63-col. 21, line 35, and more particularly col. 11, lines 22-28, col. 13, lines 65-col. 14, line 7, col. 8, lines 31-43, col. 7, lines 32-col. 8, line 30 and col. 20, lines 11-19, whereas the electronic wallet and associated multimedia/digital card(s) with secured content (e.g., typical wallet artifacts -drivers license with associated typical photo image, 'other miscellaneous cards'-, and more particularly, financial transactions information) storage/memory elements, virtual debit card functionality (i.e., the debited amounts per transaction corresponding to subordinate data that modifies the rights (the debit card balance available to*

transact a transaction); post rights use per transaction), encompassing the claimed limitations as broadly interpreted by the examiner.],

said subordinate data including

a reproduction condition

label of said contents data [Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia/digital card(s) with secured content storage/memory elements, virtual debit card functionality (i.e., the debited amounts per transaction corresponding to subordinate data that modifies the rights (the debit card balance available to transact a transaction); post rights use per transaction), encompassing the claimed limitations as broadly interpreted by the examiner.], and

said right data indicating

a right to

reproduce said contents data [Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the digital card(s) with cryptographic (i.e., encryption) based wallet micro-module, secure storage elements, virtual debit card functionality, and multiple interface aspects, clearly encompasses the claimed limitations as broadly interpreted by the examiner.];

a reproducing unit configured to reproduce said contents data; and

a controller configured to

control said reproducing unit to reproduce said contents data based on

said right data, and

 to change said right data based on

 said subordinate data when

 said contents data are reproduced [*Abstract, col. 1, lines 5-25, col. 7, lines 33-col. 9, line 31, col. 9, lines 63-col. 21, line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with cryptographic (i.e., encryption) based wallet micro-module, secure storage elements, virtual debit card functionality (i.e., the debited amounts per transaction corresponding to subordinate data that modifies the rights (the debit card balance available to transact a transaction), such that ‘... a transaction security controller, and a recorder and reconciler [a reproduction log identifying reproduced contents], among other functions.’; post rights use per transaction), and multiple interface aspects, clearly encompasses the claimed limitations as broadly interpreted by the examiner.*].

Further, as per claim 11, this claim is the method claim for the apparatus claim 1 above, and is rejected for the same reasons provided for the claim 1 rejection.

6. Claim 2 **additionally recites** the limitation that; “The data reproducing apparatus according to claim 1, wherein

 said reproduction log is stored in said memory”.

The teachings of Daggar suggest such limitations (*Abstract, col. 1, lines 5-25, col. 7, lines 33-col. 9, line 31, col. 9, lines 63-col. 21, line 35, and more particularly, col. 9, lines 15-16, whereas the*

electronic wallet and associated multimedia card and digital card(s) with cryptographic based wallet micro-module, secure storage elements, virtual debit card functionality, such that ‘... a transaction security controller, and a recorder and reconciler [reproduction log is stored in said memory], among other functions.’, clearly encompasses the claimed limitations as broadly interpreted by the examiner.).

7. Claim 3 ***additionally recites*** the limitation that; “The data reproducing apparatus according to claim 1, further comprising

an interface that

safely exchanges data with an external apparatus by
encrypting the data,

wherein

said right data is transmitted through the interface.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, and multiple interface aspects, clearly interfaces external to the device (i.e., user interface, magnetic, etc., card interfaces) as associated with the stored data/parameters/transaction (virtual debit card functionality (i.e., the debited amounts per transaction corresponding to subordinate data that modifies the rights (the debit card balance available to transact a transaction); post rights use per transaction)) logs, etc., and encompasses the claimed limitations as broadly interpreted by the examiner.).

8. Claim 4 ***additionally recites*** the limitation that; “The data reproducing apparatus according to claim 3, wherein

the interface has a contactless communicating unit.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s), secure storage elements, and multiple interface aspects, clearly interfaces external to the device (i.e., user interface, magnetic, etc., card interfaces) which include proximity/contactless based (i.e., magnetic, weigand, RF, etc.) technologies, and encompasses the claimed limitations as broadly interpreted by the examiner.).

9. Claim 5 ***additionally recites*** the limitation that; “The data reproducing apparatus according to claim 4, wherein

the interface has

an electric power receiving unit; and

the data stored in said memory can be accessed through said interface by receiving power through said interface.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s), secure storage elements, and multiple interface aspects, such that power supplied via solar cells (i.e., col. 12,lines 66-col. 13,line 3, col. 17,lines 1-44), encompasses the claimed limitations as broadly interpreted by the examiner.).

10. Claim 6 ***additionally recites*** the limitation that; “The data reproducing apparatus according to claim 1, further comprising

an interface that

safely exchanges data with an external apparatus by

encrypting the data,

wherein log data is stored in said memory and

can be transmitted through said interface.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, and multiple interface aspects, clearly interfaces external to the device (i.e., user interface, magnetic, etc., card interfaces) as associated with the stored data/parameters/transaction logs, etc., and encompasses the claimed limitations as broadly interpreted by the examiner.).

11. Claim 7 ***additionally recites*** the limitation that; “The data reproducing apparatus according to claim 6, wherein

said interface has a contactless communicating unit.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s), secure storage elements, and multiple interface aspects, clearly interfaces external to the device (i.e., user interface, magnetic, etc., card interfaces) which

include proximity/contactless based (i.e., magnetic, weigand, RF, etc.) technologies, and encompasses the claimed limitations as broadly interpreted by the examiner.).

12. Claim 8 ***additionally recites*** the limitation that; “The data reproducing apparatus according to claim 7, wherein

 said interface has an electric power receiving unit and
 the data stored in said memory can be accessed through said interface by
 receiving power through said interface.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s), secure storage elements, and multiple interface aspects, such that power supplied via solar cells (i.e., col. 12,lines 66-col. 13,line 3, col. 17,lines 1-44), encompasses the claimed limitations as broadly interpreted by the examiner.).

13. Claim 9 ***additionally recites*** the limitation that; “The data reproducing apparatus according to claim 1, wherein

 when the contents data are decoded,
 a decoding condition is embedded
 as a watermark into the output data.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, and

‘Other physical information such as a card owner signature, photo, hologram and bar code could also be included on the ... card ... owner specific (i.e., col. 13,lines 28-col. 14,line 8, col. 18,lines 62-col. 21,line 30)’, encompasses the claimed limitations as broadly interpreted by the examiner.).

14. Claim 10 ***additionally recites*** the limitation that; “The data reproducing apparatus according to claim 9, wherein

when the contents data includes a watermark,

the contents data can be decoded when

the watermark is the same as the decoding condition.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, and ‘Other physical information such as a card owner signature, photo, hologram and bar code could also be included on the ... card ... owner specific (i.e., col. 13,lines 28-col. 14,line 8, col. 18,lines 62-col. 21,line 30)’ whereas the case of financial transactions clearly won’t occur if said user associated information so embedded is not authenticated (i.e., financial transactions won’t allow for multiple, reproduced, duplicated transactions), and therefore encompasses the claimed limitations as broadly interpreted by the examiner.).

15. Further, as per claim 49, this claim is the apparatus embodiment of claim 1 for the case where the reproduction rights indicate the content reproduction is billable (i.e., a financial

transaction is involved for reproduction as per the reproduction rights), and is rejected for the same reasons provided for the claim 1 rejection. Further, as per Daggar, the Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet micro-module secure storage (i.e., col. 18,lines 62-col. 21,line 35, col. 9,lines 5-30 ‘emphasis on data security as opposed to media security … a remote banking terminal, …a transaction security controller, and transaction recorder and reconciler, among other functions … ’), virtual debit card functionality (i.e., the debited amounts per transaction corresponding to subordinate data that modifies the rights (the debit card balance available to transact a transaction; inclusive of rights such that debit amounts are unlimited (i.e., content is effectively ‘free’) /balance of ‘zero’ (i.e., content is effectively completely restricted from a rights aspect) states); post rights use per transaction, inclusive of decoding/decryption of debit/content data for said transaction use), clearly encompasses the claimed limitations as broadly interpreted by the examiner.

16. Claim 50 ***additionally recites*** the limitation that; “The reproducing apparatus according to claim 49, wherein

when the decoded contents data is free,
the controller does not change
said right data stored in said second storage.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet micro-module secure storage (i.e., col. 18,lines 62-col. 21,line 35, col. 9,lines 5-30 ‘emphasis on data security as opposed to media security … a remote banking terminal, …a transaction security controller, and

transaction recorder and reconciler, among other functions ...'), virtual debit card functionality (i.e., the debited amounts per transaction corresponding to subordinate data that modifies the rights (the debit card balance available to transact a transaction; inclusive of rights such that debit amounts are unlimited (i.e., content is effectively 'free' and rights data also effectively does not change) /balance of 'zero' (i.e., content is effectively completely restricted from a rights aspect) states); post rights use per transaction, inclusive of decoding/decryption of debit/content data for said transaction use), clearly encompasses the claimed limitations as broadly interpreted by the examiner.).

17. Claim 51 ***additionally recites*** the limitation that; "The reproducing apparatus according to claim 49, further comprising

a converting unit configured to convert
output contents data outputted from the reproducing unit into
an analog signal.".

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s), secure storage elements, and multiple interface aspects, clearly interfaces external to the device (i.e., user interface, magnetic, etc., card interfaces) which include proximity/contactless based (i.e., magnetic, weigand, RF, etc.) technologies, whereas the interfacing to said technologies is an analog signal, and encompasses the claimed limitations as broadly interpreted by the examiner.).

18. Claim 52 ***additionally recites*** the limitation that; “The reproducing apparatus according to claim 49, wherein

 said reproduction log is stored in

 said second storage.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, and the case of financial transactions (i.e., banking transactions) and user associated information, encompasses the claimed limitations as broadly interpreted by the examiner.).

19. Claim 53 ***additionally recites*** the limitation that; “The reproducing apparatus according to claim 52, further comprising

 a communicating unit, wherein

 the reproduction log and

 the right data are transmitted to

 an external apparatus through the communicating unit.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet case of financial transactions (i.e., banking transactions) and user associated information, encompasses the claimed limitations as broadly interpreted by the examiner.).

20. Claim 54 ***additionally recites*** the limitation that; “The reproducing apparatus according to claim 53, wherein

an operation power is supplied to the apparatus from
an exterior source through the communicating unit.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s), secure storage elements, and multiple interface aspects, such that power supplied via solar cells (i.e., col. 12,lines 66-col. 13,line 3, col. 17,lines 1-44), encompasses the claimed limitations as broadly interpreted by the examiner.).

21. Claim 55 ***additionally recites*** the limitation that; “The reproducing apparatus according to claim 49, wherein the reproducing unit comprises

a decoder configured to decode
an encryption performed on the contents data and
a decompressing unit configured to decompress
the data decoded by the decoder.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with cryptographic (i.e., encryption/ coding/ decryption/ decoding) and associated data protocol processing (i.e., decompressing, decoding, reformatting, etc.,) based wallet micro-module, secure storage elements, multiple interface aspects (i.e., the cards being medium elements), and ‘Other physical information such as a card owner signature, photo,

hologram and bar code could also be included on the ... card ... owner specific (i.e., col. 13,lines 28-col. 14,line 8, col. 18,lines 62-col. 21,line 30)' whereas the case of financial transactions clearly won't occur if said user associated information so embedded is not authenticated (i.e., financial transactions won't allow for multiple, reproduced, duplicated transactions), and therefore encompasses the claimed limitations as broadly interpreted by the examiner.).

22. Claim 56 ***additionally recites*** the limitation that; "The reproducing apparatus according to claim 49, further comprising

 a watermark detecting unit for

 detecting whether a watermark has been added to output data outputted from the reproducing unit,

 wherein when the watermark is not detected from

 the reproduced data, the reproduced data are outputted.".

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, and 'Other physical information such as a card owner signature, photo, hologram and bar code could also be included on the ... card ... owner specific (i.e., col. 13,lines 28-col. 14,line 8, col. 18,lines 62-col. 21,line 30)', encompasses the claimed limitations as broadly interpreted by the examiner.).

23. Claim 57 ***additionally recites*** the limitation that; “The reproducing apparatus according to claim 56, wherein

when the data regarding the reproducing conditions are

included in the watermark detected by the watermark detecting unit,

the controller

collates the output data with the data regarding the reproducing conditions extracted from the reproduced subordinate data and

outputs the reproducing data from the reproducing unit when

the data corresponding to the reproducing conditions

detected by the watermark detecting unit coincides with

the data corresponding to the reproducing conditions

extracted from the reproduced subordinate data stored in the first

storage.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1, lines 5-25, col. 7, lines 33-col. 9, line 31, col. 9, lines 63-col. 21, line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, and ‘Other physical information such as a card owner signature, photo, hologram and bar code could also be included on the ... card ... owner specific (i.e., col. 13, lines 28-col. 14, line 8, col. 18, lines 62-col. 21, line 30)’ whereas the case of financial transactions clearly won’t occur if said user associated information so embedded is not authenticated (i.e., financial transactions won’t allow for multiple, reproduced, duplicated transactions), and therefore encompasses the claimed limitations as broadly interpreted by the examiner.).

24. Claim 58 *additionally recites* the limitation that; “The reproducing apparatus according to claim 56, wherein

when the data regarding the reproducing conditions detected by the watermark detecting unit does not coincide with

the data regarding the reproducing conditions extracted from the decoded subordinate data stored in the first storage,

the controller does not output the reproduced contents data from the decoding unit.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, and ‘Other physical information such as a card owner signature, photo, hologram and bar code could also be included on the ... card ... owner specific (i.e., col. 13,lines 28-col. 14,line 8, col. 18,lines 62-col. 21,line 30)’ whereas the case of financial transactions clearly won’t occur if said user associated information so embedded is not authenticated (i.e., financial transactions won’t allow for multiple, reproduced, duplicated transactions), and therefore encompasses the claimed limitations as broadly interpreted by the examiner.).

25. Claim 59 *additionally recites* the limitation that; “The reproducing apparatus according to claim 58, wherein

said reproducing unit further includes

a reproducing conditions detecting unit configured to
extract the data regarding the reproducing conditions from the decoded
contents data.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, and ‘Other physical information such as a card owner signature, photo, hologram and bar code could also be included on the ... card ... owner specific (i.e., col. 13,lines 28-col. 14,line 8, col. 18,lines 62-col. 21,line 30)’ whereas the case of financial transactions clearly won’t occur if said user associated information so embedded is not authenticated (i.e., financial transactions won’t allow for multiple, reproduced, duplicated transactions), and therefore encompasses the claimed limitations as broadly interpreted by the examiner.).

26. Claim 60 ***additionally recites*** the limitation that; “The reproducing apparatus according to claim 57, further comprising

a watermark adding unit configured to
add a watermark formed on the basis of
the data regarding the reproducing conditions,
wherein when the watermark cannot correctly be detected from the decoded contents data
outputted from said reproducing unit by the watermark detecting unit,
the watermark adding unit
forms the watermark and

adds the watermark to the reproduced contents data.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, and ‘Other physical information such as a card owner signature, photo, hologram and bar code could also be included on the ... card ... owner specific (i.e., col. 13,lines 28-col. 14,line 8, col. 18,lines 62-col. 21,line 30)’ whereas the case of financial transactions clearly won’t occur if said user associated information so embedded is not authenticated (i.e., financial transactions won’t allow for multiple, reproduced, duplicated transactions), and therefore encompasses the claimed limitations as broadly interpreted by the examiner.).

27. Claim 61 ***additionally recites*** the limitation that; “The reproducing apparatus according to claim 60, wherein

when the watermark is correctly detected from the reproduced contents data from the reproducing unit by said watermark detecting unit,

said watermark adding unit

does not add the watermark to the reproduced contents data.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, and ‘Other physical information such as a card owner signature, photo, hologram and bar code could also be included on the ... card ... owner specific (i.e., col. 13,lines 28-col. 14,line 8, col.

18,lines 62-col. 21,line 30)' whereas the case of financial transactions clearly won't occur if said user associated information so embedded is not authenticated (i.e., financial transactions won't allow for multiple, reproduced, duplicated transactions), and therefore encompasses the claimed limitations as broadly interpreted by the examiner.).

28. Claim 62 ***additionally recites*** the limitation that; "The reproducing apparatus according to claim 49, wherein

 said reproducing unit,
 said second storage, and
 said controller are constructed as one chip.".

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, are such that the various embodiments involving the wallet/smartcard architectures clearly are integrated into single chip configurations, and therefore encompasses the claimed limitations as broadly interpreted by the examiner.).

29. Claim 63 ***additionally recites*** the limitation that; "The reproducing apparatus according to claim 49, wherein

 when the right data stored said second storage unit indicate that
 the reproduced contents data cannot be reproduced,
 said controller stops the reproducing process.".

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, and ‘Other physical information such as a card owner signature, photo, hologram and bar code could also be included on the ... card ... owner specific (i.e., col. 13,lines 28-col. 14,line 8, col. 18,lines 62-col. 21,line 30)’ whereas the case of financial transactions clearly won’t occur if said user associated information so embedded is not authenticated (i.e., financial transactions won’t allow for multiple, reproduced, duplicated transactions), and therefore encompasses the claimed limitations as broadly interpreted by the examiner.).

30. Claim 87 ***additionally recites*** the limitation that; “The data reproducing apparatus according to claim 1, wherein

 said contents data includes at least one of
 audio data,
 video data,
 still image data,
 character data,
 computer graphic data,
 game software, and
 a computer program.”

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia

card and digital card(s) with encryption based wallet micro-module, secure storage elements, and ‘Other physical information such as a card owner signature, photo, hologram and bar code could also be included on the ... card ... owner specific (i.e., col. 13,lines 28-col. 14,line 8, col. 18,lines 62-col. 21,line 30)’ whereas the case of ‘... card owner signature, photo, hologram ...’, clearly encompasses the claimed limitations as broadly interpreted by the examiner.).

31. Claim 88 ***additionally recites*** the limitation that; “The data reproducing apparatus according to claim 49, wherein

 said contents data includes at least one of

 audio data,

 video data,

 still image data,

 character data,

 computer graphic data,

 game software, and

 a computer program.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, and ‘Other physical information such as a card owner signature, photo, hologram and bar code could also be included on the ... card ... owner specific (i.e., col. 13,lines 28-col. 14,line 8, col.

18,lines 62-col. 21,line 30)' whereas the case of '... card owner signature, photo, hologram ...', clearly encompasses the claimed limitations as broadly interpreted by the examiner.).

32. Claim 89 ***additionally recites*** the limitation that; "The data reproducing method according to claim 11, further comprising the step of

exchanging data with an external apparatus through an interface

by encrypting the data,

wherein said right data is transmitted through the interface.".

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, and multiple interface aspects, clearly interfaces external to the device (i.e., user interface, magnetic, etc., card interfaces) as associated with the stored data/parameters/transaction logs, etc., and encompasses the claimed limitations as broadly interpreted by the examiner.).

33. Claim 90 ***additionally recites*** the limitation that; "The data reproducing method according to claim 89, wherein the step of exchanging data comprises the step of
exchanging data through an interface

that includes a contactless communicating unit.".

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s), secure storage elements, and multiple interface aspects, clearly

interfaces external to the device (i.e., user interface, magnetic, etc., card interfaces) which include proximity/contactless based (i.e., magnetic, weigand, RF, etc.) technologies, and encompasses the claimed limitations as broadly interpreted by the examiner.).

34. Claim 91 ***additionally recites*** the limitation that; “The data reproducing method according to claim 90, wherein the step of exchanging data comprises the step of exchanging data through an interface

that includes an electric power receiving unit; and
wherein data can be accessed through said interface by
receiving power through said interface.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s), secure storage elements, and multiple interface aspects, such that power supplied via solar cells (i.e., col. 12,lines 66-col. 13,line 3, col. 17,lines 1-44), encompasses the claimed limitations as broadly interpreted by the examiner.).

35. Claim 92 ***additionally recites*** the limitation that; “The data reproducing method according to claim 11, further comprising the step of
transmitting said reproduction log through an interface.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet case of financial

transactions (i.e., banking transactions) and user associated information, encompasses the claimed limitations as broadly interpreted by the examiner.).

36. Claim 94 ***additionally recites*** the limitation that; “The data reproducing method according to claim 92, wherein the step of exchanging data comprises the step of exchanging data through an interface that includes a contactless communicating unit.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, and multiple interface aspects, clearly interfaces external to the device (i.e., user interface, magnetic, etc., card interfaces) as associated with the stored data/parameters/transaction logs, etc., and encompasses the claimed limitations as broadly interpreted by the examiner.).

37. Claim 95 ***additionally recites*** the limitation that; “The data reproducing method according to claim 94, wherein the step of exchanging data comprises the step of exchanging data through an interface that includes an electric power receiving unit; and wherein data can be accessed through said interface by receiving power through said interface.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1,lines 5-25, col. 7,lines 33-col. 9,line 31, col. 9,lines 63-col. 21,line 35, whereas the electronic wallet and associated multimedia

card and digital card(s), secure storage elements, and multiple interface aspects, such that power supplied via solar cells (i.e., col. 12, lines 66-col. 13, line 3, col. 17, lines 1-44), encompasses the claimed limitations as broadly interpreted by the examiner.).

38. Claim 96 ***additionally recites*** the limitation that; “The data reproducing method according to claim 11, wherein

said step of reproducing comprises the steps of
decoding said contents data and
embedding a decoding condition
as a watermark on the decoded data.”.

The teachings of Daggar suggest such limitations (Abstract, col. 1, lines 5-25, col. 7, lines 33-col. 9, line 31, col. 9, lines 63-col. 21, line 35, whereas the electronic wallet and associated multimedia card and digital card(s) with encryption based wallet micro-module, secure storage elements, and ‘Other physical information such as a card owner signature, photo, hologram and bar code could also be included on the ... card ... owner specific (i.e., col. 13, lines 28-col. 14, line 8, col. 18, lines 62-col. 21, line 30)’, encompasses the claimed limitations as broadly interpreted by the examiner.).

Response to Amendment

39. As per applicant’s argument concerning the lack of teaching by Daggar of “contents data including at least one of audio data and video data”, the examiner has fully considered in this response to amendment; the arguments, and finds them not to be persuasive (see claims 1, 11 and 49 rejections above), insofar as Daggar clearly teaches of the wallet/multiple media interfaces

card/format/protocol encompassing the functions (i.e., representing audio, visual images, data, etc.,) of typical wallet artifacts (i.e., drivers license with associated typical photo image, 'other miscellaneous cards') and allows 'virtually all traditional wallet items to be recreated in the form of electronically stored ...'.

Further, the use of voice recognition as an interface (e.g., col.11,lines 11-28) is such that the comparison of voice transaction interface/request data to stored authorized voice data (i.e., confirming voice of user that is to be matched as part of the voice authentication), requires the transaction include the voice as part of the content being therefore a part of the content. Also, lending support to this aspect is the fact that the "other physical information ... card owner signature, photo ... owner specific ... [col. 13,lines 65-col. 14,line 7]" clearly indicates such authentication voice data would therefore be part of the transaction content. As such, the use of interfacing via the telephone network (e.g., col. 8,lines 31-43) would encompass the audio aspects of the voice recognition, and payment (i.e., content) secured is such that payment delivered "verbally [col. 20,lines 11-19]" is effectively content delivered in reformatted audio form as described above.

40. As per applicant's argument concerning the lack of teaching by Daggar of the use of a "reproduction conditions label", the examiner has fully considered in this response to amendment; the arguments, and finds them not to be persuasive (see claims 1, 11 and 49 rejections above), insofar as Daggar clearly teaches of unique payer and payee identifiers (i.e., content, content rights insofar as associating the rights to the user, associated to the

corresponding transaction), which clearly are an association between the reproduction conditions and the content.

41. Therefore, the amended claim language still does not patently distinguish the claimed invention from the claims as previously presented, such that the rejections as presented above in the claim-by-claim rejection are maintained.

42. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

43. The examiner suggests for the sake of moving prosecution forward that the applicant direct the amendment of claim limitations towards the specifics of the 'reproducing unit' nature of the reproduction, insofar as those specifics that differentiate the inventive concept from transaction type embodiments (i.e., financial, broadly encompassing the audio/image, versus the audio/video of distributable multi-media entertainment, music, etc.,), generally involved in the reference, and possible related art.

44. Any inquiry concerning this communication or earlier communications from examiner should be directed to Ronald Baum, whose telephone number is (571) 272-3861, and whose unofficial Fax number is (571) 273-3861 and unofficial email is Ronald.baum@uspto.gov. The examiner can normally be reached Monday through Thursday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached at (571) 272-4063. The Fax number for the organization where this application is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. For more information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ronald Baum

Patent Examiner

/R. B./

Examiner, Art Unit 2139

/Kristine Kincaid/

Supervisory Patent Examiner, Art Unit 2139